

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
HELENA DIVISION**

**RONALD DEAN MATTHEWS
ADC #73278**

PLAINTIFF

v.

2:08CV00082-WRW

APRIL BRANDON *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young and the objections filed. After carefully considering the objections and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Disposition are approved and adopted in their entirety as this Court's findings in all respects.

Accordingly, Plaintiff's complaint is DISMISSED with prejudice for failure to introduce sufficient evidence to create a fact issue to be submitted to a jury. The Court further certifies that an *in forma pauperis* appeal taken from the Order and Judgment dismissing this action is considered frivolous and not in good faith.

IT IS SO ORDERED this 27th day of May, 2009.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE